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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

HORIZON PHARMA, INC., HORIZON PHARMA USA, INC., and POZEN INC., Plaintiffs, v. ACTAVIS LABORATORIES FL., INC., and ACTAVIS PHARMA, INC., Defendants.	Civil Action Nos. 13-3038; 15-3322; 15-8523; 15-8524; 16-426; 16-4916 (MLC)(DEA) **NOTICE OF APPEAL**

Notice is hereby given that Plaintiff Pozen Inc. hereby appeals to the United States Court of Appeals for the Federal Circuit from the Amended Order of Dismissal (D.I. 120 in C.A. No. 13-cv-3038; D.I. 93 in C.A. No. 15-cv-3322; D.I. 39 in C.A. No. 15-cv-8523; D.I. 37 in C.A. No. 15-cv-8524; D.I. 33 in C.A. No. 16-426; and D.I. 51 in C.A. No. 16-4916) entered on February 8, 2017, and all orders, opinions, rulings, and judgments underlying the Order of Dismissal, including, but not limited to, the Memorandum Opinion and Order (*see* C.A. No. 13-cv-3038, D.I. 104 and 105) entered on December 30, 2016, which adopted the Report and Recommendation (*see* C.A. No. 13-cv-3038, D.I. 91) entered on December 22, 2016 and granted

Actavis's Motion to Compel the Enforcement of the Settlement Agreement (*see* C.A. No. 13-cv-3038, D.I. 85).

This Notice of Appeal is filed with payment to the United States District Court for the District of New Jersey of the $500 fee required under 28 U.S.C. § 1913 and Federal Circuit Rule 52(a)(3)(A), and payment of the $5 fee required under 28 U.S.C. § 1917.

Respectfully submitted,

Dated: February 9, 2016

s/John E. Flaherty

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that true copies of the foregoing Notice of Appeal was caused to be served on February 8, 2017 via email and/or the ECF system upon all counsel of record.

s/John E. Flaherty
John E. Flaherty